

US Case H-32268A

**DECLARATION AND POWER OF ATTORNEY FOR UNITED STATES PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, and

I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a United States patent is sought on the invention entitled

**AMIDOACETONITRILE DERIVATIVES**

the specification of which is attached hereto and was filed as PCT International Application No. **PCT/EP03/00498** on January 20, 2003.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment(s) specifically referred to above and, if this application was filed as a Patent Cooperation Treaty international application, by any amendments made during the international stage (including any made under Patent Cooperation Treaty Rule 91, Article 19 and Article 34).

I acknowledge my duty to disclose all information which is material to patentability as defined in 37 C.F.R. §1.56, including, for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or Patent Cooperation Treaty international filing date of the continuation-in-part application.

I hereby claim the benefit under 35 U.S.C. 119(a)-(d) or (f) or 365(b) of any foreign application(s) for patent, inventor's certificate or plant breeder's right certificate listed below and under 35 U.S.C. 365(a) of any Patent Cooperation Treaty international application(s) designating at least one country other than the United States listed below and have also listed below any foreign application(s) for patent, inventor's certificate or plant breeder's right certificate and Patent Cooperation Treaty international application(s) designating at least one country other than the United States for the same subject matter and having a filing date before that of the application the priority of which is claimed for that subject matter:

| COUNTRY/REGION<br>(OR P.C.T.) | APPLICATION No. | FILING DATE<br>(day/month/year) | PRIORITY CLAIMED                        |                             |
|-------------------------------|-----------------|---------------------------------|---|-----------------------------|
| Switzerland                   | 0097/02         | 21.01.2002                      | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
|                               |                 |                                 | <input type="checkbox"/> Yes            | <input type="checkbox"/> No |
|                               |                 |                                 | <input type="checkbox"/> Yes            | <input type="checkbox"/> No |
|                               |                 |                                 | <input type="checkbox"/> Yes            | <input type="checkbox"/> No |
|                               |                 |                                 | <input type="checkbox"/> Yes            | <input type="checkbox"/> No |

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

| APPLICATION NO. | FILING DATE<br>(day/month/year) |
|-----------------|---------------------------------|
|-----------------|---------------------------------|

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s) listed below and under 35 U.S.C. 365(c) of any Patent Cooperation Treaty international application(s) designating the United States listed below:

| United States<br>Application No. | United States<br>Filing Date<br>(day/month/year) | Status (Pending,<br>Abandoned or U.S.<br>Patent No.) | International<br>Application No. and Filing Date<br>(day/month/year) |
|----------------------------------|--|--|--|
|----------------------------------|--|--|--|

I hereby appoint the registered practitioners associated with Customer No. 001095, respectively and individually, as my attorneys and agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

If this box (☐) contains an x ☒, I hereby authorize the registered practitioners associated with Customer No. 001095 and any others acting on my behalf to take any action relating to this application based on communications from Corporate Intellectual Property of Novartis International AG, Basle, Switzerland, or an affiliate thereof or a successor thereto, without direct communication from me.

Please address all communications to the address associated with Customer No. 001095, which is currently Richard Gearhart, Novartis, Corporate Intellectual Property, One Health Plaza, Bldg. 430, East Hanover, NJ 07936-1080.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first joint inventor <sup>100</sup> Pierre Ducray

Inventor's signature

X Pierre Ducray

Date X 10/05/2004  
(day/month/year)

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**IMPORTANT:** Before this declaration is signed, the patent application (the specification, the claims and this declaration) must be read and understood by each person signing it, and no changes may be made in the application after this declaration has been signed.

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Full name of third joint inventor, if any <sup>300</sup> Jörg Früchtel

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X Jörg Früchtel

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Full name of fourth joint inventor, if any

<sup>400</sup> Jacques Bouvier

Inventor's signature

X J. B.

Date

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Full name of fifth joint inventor, if any

Inventor's signature

Date

(day/month/year)

Residence

Citizenship

Post Office Address